

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: _____ DATE FILED: <u>10/25/2013</u>
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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
BEAUTYBANK INC.

Plaintiff,

v.

KUMAR RAMANI, *et al.*

Defendants.
-----X

Civ. Action No. 10-cv-955 (KPF) (GWG)

**STIPULATION AND
CONSENT ORDER**

WHEREAS, this matter was tried before a jury commencing October 16, 2013; and

WHEREAS, the jury returned verdicts on October 23, 2013; and

WHEREAS, a post-trial motion briefing schedule has been ordered by the Court (Doc. No. 255) (collectively, the “Post-Trial Motions”); and

WHEREAS, the parties desire to maintain the *status quo* until the decision and entry of an Order on the Post-Trial Motions,

WHEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned counsel of record for all parties as follows:

1. Until the decision and entry of an Order on the Post-Trial Motions, Defendants Kumar Ramani, Ageless Fantasy LLC and Ageless Concepts, Inc. (“Defendants”)¹ are hereby:

- Enjoined from destroying any inventory of Eau Flirt Goods²;
- Enjoined from transferring any Eau Flirt Goods for anything less than fair value;

¹ “Defendants” shall also include affiliates, agents, servants, employees, representatives, officers, directors, accountants, attorneys, persons or entities under Defendants’ control or acting or purporting to act on Defendants’ behalf.

² “Eau Flirt Goods” refers to the fragrance, liquid loofah, body lotion, bar soap and any other products bearing the mark “Eau Flirt” which Defendants have ever or are currently manufacturing, distributing, advertising, shipping, offering for sale, and/or selling, throughout the United States.

- Enjoined from transferring or dissipating any assets for anything less than fair value;
- Enjoined from altering the sale price of any Eau Flirt Goods;
- Ordered to provide the Court and Plaintiff's counsel with records of sales of Eau Flirt Goods every seven (7) days, reflecting the sales of Eau Flirt Goods for the prior seven (7) days. Defendants may provide either a spreadsheet of such sales or copies of the actual invoices of such sales. The records must identify the sales of Eau Flirt Goods by product name and product size, and must also include the purchaser's name and address. Defendants may redact the purchaser's credit card information and phone number;
- Ordered to maintain a copy of all invoices for sales of Eau Flirt Goods; and it is further

2. No security is required in light of the nature of the relief sought.

Dated: New York, New York
October 25, 2013

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ORDERED on this 25th day of October, 2013



Hon. Katherine Polk Failla